



**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRWP-8649-2024 (O&M)
Date of Decision:- 16.9.2024

Ghugri ... Petitioner

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Sukhveer Kaur, Advocate for the petitioner.

Mr. Prabhdeep Singh Dhaliwal, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed seeking issuance of a writ in the nature of Habeas Corpus so as to release the detainee namely Anju Bala, wife of the petitioner, who is stated to be illegally confined by respondents No.4 to 7.
2. At the time of issuance of notice of motion, respondent No.3 – Station House Officer, Police Station Purana Shalla, District Gurdaspur was directed to conduct search at the residences of the private respondents to trace the alleged detainee.
3. Reply by way of affidavit of Sub Inspector Krishma, SHO Police Station Purana Shalla, District Gurdaspur has been filed by learned State counsel, which is taken on record. Para Nos.3 and 4 of the said reply are reproduced hereinunder:

“3. That it is humbly submitted that in compliance of the order dated 06.09.2024 passed by this Hon’ble High Court, the detainee namely



Anju Bala has appeared before the deponent through respected persons of Village Karwal, Naushehra and Chawa. The detainee stated that the divorce case has been filed in the Ld. Civil Court, Gurdaspur. It is also stated that she is residing at some other place with Sukhjinder Singh @ Kala (respondent No.4).

4. That in compliance with the order of the Hon’ble High Court, a search of the residence of Respondent No.4 was conducted. During this search, the detainee submitted an affidavit and subsequently provided an interview with KRT News, in which she refuted all claims made by the petitioner.”
4. A perusal of the aforesaid reply indicates that petitioner’s wife is not illegally detained and has been residing with respondent No.4 out of her own free will and volition and, as a matter of fact, she has also filed a petition for grant of divorce against the petitioner.
5. In view of the aforestated position, no further directions are required to be issued in the instant case.
6. The instant petition stands disposed off accordingly.

16.9.2024

Pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No